threat of some jail time) to prevent license mills from cranking out a ton of new applications on behalf of people who had no intention of filing prior to the freeze.

MINIMUM SERVICE

The FCC asked for comments regarding minimum service requirements of geographic license holders. With my plan, described earlier, where anyone can come in and file an application within someone else's geographic service area (which, again, was presented to preserve the ability for "Mom and Pop" companies to continue to serve their home communities), there would be no need for minimum service standards. If the geographic license holder failed to provide adequate service within his territory, someone else would come along in due time, and do it for him!

But, another thing to look at is the FCC's proposal to use minimum service as a way to keep out the "sharks" who only want a license to extract tribute from existing licensees. If a certain degree of minimum service must be provided within a given period, it should be a percentage of the unserved territory within the geographic service area. In other words, if an existing licensee in the area is serving a major metropolitan area, then forget about the major metropolitan area. It may be a city of two million people, but since it's served by someone else, it doesn't enter the equation. Now, if the geographic service area, minus this city of two million, only has a total of 100,000 people living in the unserved area, and the geographic licensee must serve 25% of this territory within the first year, then he must serve 25,000 people within the first year. These time periods should all be kept very short... especially in consideration of the time lost in bringing non-wireline cellular to Southeast Wyoming, due to the original lottery winner failing to build the system. At least one station should be constructed, and service commenced to the public, within six months of issuance of the geographic license. Setting up just one

transmitter certainly is not that big of deal to pull off within half a year. But, it will separate the sheep from the goats in that the licensees with no idea of what to do next will end up losing their licenses, as they should.

So, I strongly encourage that the FCC require that at least one transmitter be placed on the air within six months, and that at least 25% of the unserved people receive service within the first year, with most likely a requirement that at least 50% of the population receive service within two years. If these conditions are not met, then anyone should be able to come in, and license transmitters on a site-by-site basis.

In this situation, the geographic licensee will not be able to challenge any new applications within his territory (as a penalty for failing to come through as promised). But, the geographic licensee can keep everything he built.

EFFECTIVE RADIATED POWER and HEIGHT/POWER

A few years ago, the FCC decided that it would be permissible to use higher Effective Radiated Power (ERP) than the previously allowed 500 watts (for lower frequency Part 22 stations) only in situations where existing contours already enclosed the area to be served by the increased power. Put a bit more simply, this ruling stated that you could use the higher power only if you didn't need to use the higher power! This was a real setback for rural America.

In rural America, the obvious answer to serving ranchers living somewhere between Lost Cabin, Wyoming and Hell's Half Acre, Wyoming, would be to do it with one single high-powered transmitter, located up on a mountain top. In fact, this is the only economical way to provide this type of service. But, under the current rules, in order to do this, you must first license and build a whole batch of transmitters to serve this big wide-open area... and only then... after you have built this big batch of transmitters to serve an

almost totally desolate area... could you then license the one big transmitter up on the mountain top, running with some decent power output. Again, you can only do the high power trick if you've already built a more conventional system first to where you don't really need the big high powered transmitter after all! Does this really make sense? No, it doesn't, and it needs to be changed.

Besides, competing Part 90 licensees don't have height/power requirements in the 150 MHz and 450 MHz bands.

NUMBER OF CHANNELS

The FCC has asked for comments as to how many radio channels one entity can apply for. First of all, we need to separate two-way channels from one-way channels while looking at this, since their method of usage is totally different.

In the case of two-way systems, which are, yes, alive and well out here in the West, it is not at all uncommon to see several radio channels in use in one town to provide two-way service, and then 50 miles down the road in the next town, to see several different channels in use for the provision of two-way service.[8/] The whole idea here is that a mobile unit in "City A" should be able to make and receive telephone calls in and around "City A", without causing interference to or receiving interference from operations in "City B". Just as cellular service uses many different radio frequencies, the same is true

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[8/] See pages 4-7 of my Comments on the Interim Licensing Rules. As I said there, licensing of 150 MHz and 450 MHz conventional mobile telephone systems is completely different than with one-way paging service. With paging, the pagers generally are one-frequency receivers, and in order to provide the highest degree of customer satisfaction, most paging companies attempt to operate over as much territory as possible on a common radio frequency. But, in the case of two-way mobile service, it is not desirable to operate with a common frequency over a wide area. To do so would result in mobiles receiving and generating interference with nearby mobile telephone systems in nearby cities.

with conventional 150 MHz and 450 MHz mobile telephone service. So, certainly any limitations on one-way channels should not apply to two-way channels.

As a result, the idea of licensing a common frequency to a common licensee would totally wreck the way that conventional mobile telephone service is provided. None of these existing mobile telephone service providers desire to provide the service throughout an entire MTA, and they would be quite content to continue their service in their own areas, with the ability to add additional channels as and where needed still being an option to them. Thus, I strongly urge the FCC to not use geographic licensing with the 150 MHz and 450 MHz two-way frequencies.

WHAT ABOUT BETRS?

BETRS is what you might call an odd duck. For decades, RCCs have often been the only lifeline to ranchers and farmers in rural America. In northern Albany County, Wyoming (north of the city of Laramie, Wyoming), there are no landline telephones. For years, farmers and ranchers in this area have purchased portable RCC telephones, and used them on horseback, while mending fences, and in their homes. Since these portable radios can be easily moved around from place to place, including their homes, they are normally not licensed as fixed stations, and as a result, the FCC data base may show an extremely low number of "Rural Subscriber Stations". But that does not mean that farmers and ranchers don't use RCC service as their only link with the outside world from their homes; they simply bring their "walkie-talkie" style phones into their homes when they finish their work for the day. So, as a result, it is not at all uncommon for one RCC base station, operated on one radio channel pair, to serve a few dozen farmers and ranchers.

But, now comes BETRS, which basically operates between a telephone company central office and the farmer's or rancher's home. This ends up using one radio channel

pair to serve one rural residence. As a result, BETRS is an extremely inefficient usage of spectrum. How much better if that same radio channel pair could be assigned to an RCC base station, so that dozens of rural residents could benefit from service?

The important thing to consider is that RCC Base Stations, and also BETRS stations, are BOTH providing an extremely valuable service to residents living in rural America where wireline telephones do not exist. This service is still growing and expanding in rural America, and I intend to expand my conventional mobile telephone service if future FCC rules permit me to do so. Geographic licensing of the 150 MHz and 450 MHz two-way channels would totally gum up the works with regard to the continued growth and expansion of two-way conventional mobile telephone service.

AUCTIONS AND BIDDING

As already stated, it seems like something is wrong when a small family owned business has to bid against those with "deep pockets" for the privilege of continuing to provide the service that they are already providing. Therefore, it would certainly be nice if the FCC could figure out a way that the little "Mom and Pop" companies could continue to serve their customers, with "breathing room" to expand their service area, without having to mortgage their home, business, and soul in order to come up with the cash to bid to stay in business. There has got to be some way that the FCC can reward these little businesses with a big "Thank You!", for bringing service to rural America back in the days when no one thought that you would ever see a big corporation trying to provide paging or mobile phone service in Wyoming. They've paid their dues, over and over again, and it's time they got a break for all the years of losses that they suffered when they first set up their businesses to bring this valuable service to rural America.

So, for sure, they should be able to obtain whatever kind of licenses the FCC ends up with WITHOUT SO MUCH AS BIDDING EVEN ONE DOLLAR! If, indeed, they must go to auction, then at least there should be no requirement for a minimum bid. If the "Big Boys" don't want the territory, then please at least allow the small companies to have it.

But, if bidding must be done, PLEASE DO NOT SET THINGS UP TO WHERE THE SMALL MARKETS ARE BID ON LAST. If this is done, then all the "sharks" that used telephone boiler rooms to locate investors, and promised these investors that they would get "SOMETHING" or "ANYTHING", will end up bidding the prices sky high, well beyond the point of any expected return, just to deliver "SOMETHING" to their clients. This WILL happen if losers of big market bidding can bid on small markets last. Please don't let it happen to "Moms and Pops"! Their livelihoods depend on it!

CONCLUSION

As set forth herein, Rule respectfully requests that the Commission adopt its auction paging rules with the modifications set forth herein.

Respectfully Submitted,

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EXHIBIT A

Prototype Major-Market Paging Coverage
"Philadelphia"

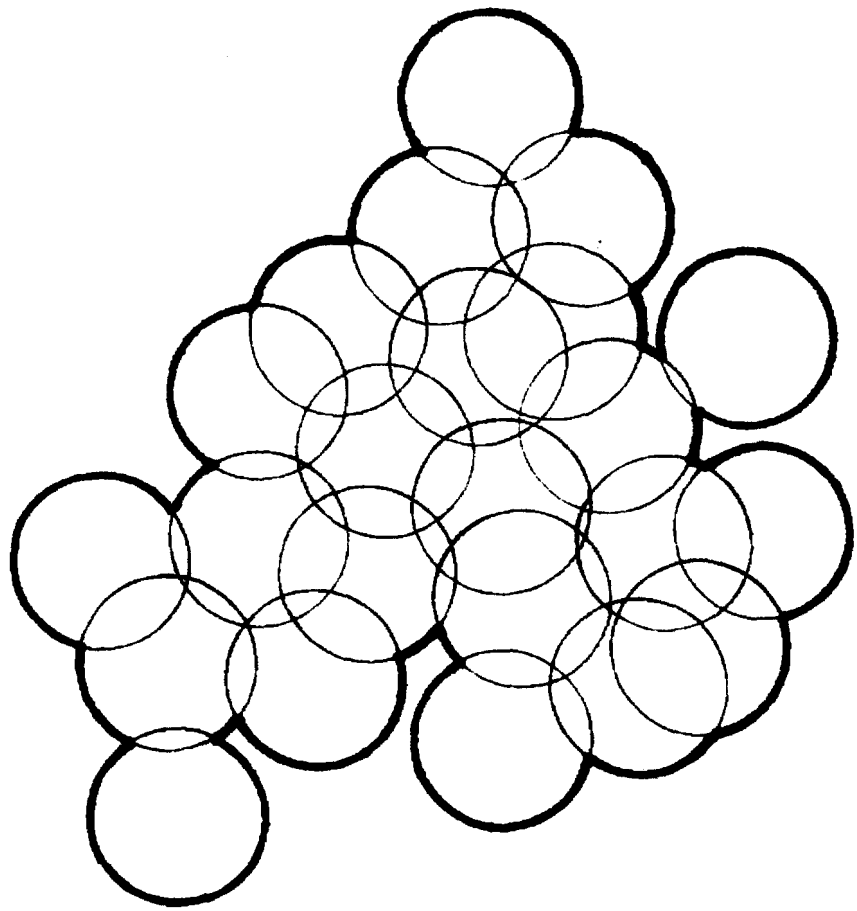

EXHIBIT B

Prototype Denver/Rocky Mountain
Paging Coverage